

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>STEPHEN McCOLLUM, et al.,</b>	§	
<i>Plaintiffs,</i>	§	
	§	
	§	
<b>v.</b>	§	
	§	<b>CIVIL ACTION NO. 3:12-CV-02037</b>
<b>BRAD LIVINGSTON, et al.,</b>	§	
<i>Defendants.</i>	§	

**ADVISORY TO THE COURT**

Defendant's Robert Eason, Jeff Pringle, Sandra Saunders, Karen Tate, Richard Clark, and Texas Department of Criminal Justice (TDCJ) hereby advise this court the following agreement between parties regarding their expert witnesses:

1. Defendants will identify their experts and the substance of their testimony by February 19, 2014. Defendants will provide their expert reports by March 4<sup>th</sup> 2014, with the following exception: The engineering report produced by Mr. Traknyak will be turned over by April 4, 2014.
2. Defendants agree to provide deposition dates within three days of providing the reports to plaintiffs. The depositions will take place within 20 days of the date the expert supplies his or her report or at a time mutually agreed upon by the parties. Defendants agree to waive timeliness as a defense in a response to any Daubert motion filed by plaintiffs.
3. The parties agree that the trial date should remain set for the month of August and do not intend this agreement to delay trial in any fashion. To ensure this, the parties agree to work together to complete discovery.

Respectfully submitted,

**GREG ABBOTT**  
Attorney General of Texas

**DANIEL T. HODGE**  
First Assistant Attorney General

**DAVID C. MATTAX**  
Deputy Attorney General for  
Defense Litigation

**KAREN D. MATLOCK**  
Assistant Attorney General  
Chief, Law Enforcement Defense Division

*/s/ Bruce R. Garcia*  
**BRUCE GARCIA**  
Assistant Attorney General  
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**ATTORNEYS FOR DEFENDANTS**

**NOTICE OF ELECTRONIC FILING**

I, **BRUCE GARCIA**, Assistant Attorney General of Texas, certify that I have electronically submitted for filing **Advisory to the Court**, on February 19, 2014 in the Northern District of Texas, Dallas Division.

*/s/ Bruce R. Garcia*  
**BRUCE GARCIA**  
Assistant Attorney General

**CERTIFICATE OF SERVICE**

I, **BRUCE GARCIA**, Assistant Attorney General of Texas, do hereby certify that a true and correct copy of the above and foregoing **Advisory to the Court** has been served by placing same in the United States Mail on this the 19<sup>th</sup> day of February, 2014, addressed to:

Jeff Edwards  
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***Via Hand-Delivery***

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/s/ Bruce R. Garcia  
**BRUCE GARCIA**  
Assistant Attorney General